



Department of Energy

ROCKY FLATS OFFICE
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94-DOE-02229

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Gentlemen:

The U.S. Department of Energy (DOE), Rocky Flats Office, is transmitting a draft of the procedure for the "Disposition of Soil and Sediment Investigation-Derived Materials," FO.29, for your review and approval. As a result of previous reviews, we are aware of one issue still needing resolution. That issue is addressed below.

The Colorado Department of Health (CDH) has requested verbally that DOE incorporate the "Interim Final Policy and Guidance on Risk Assessments for Corrective Action at RCRA Facilities," drafted by CDH, into the FO.29 procedure. DOE has reviewed this interim guidance and has prepared comments which should be addressed after the close of the public comment period that ends June 1, 1994. Therefore, DOE is deferring implementation of this guidance until the document has been issued as a final policy.

In order to respond to the concerns of CDH, DOE has adopted the following approach to IDM storage in accordance with guidance received from Fred Dowsett on December 21, 1993. All IDM with a cumulative risk level of 1×10^{-6} or lower will be considered non-hazardous, and will not be stored in a RCRA storage area. All IDM with a cumulative risk level greater than 1×10^{-6} is hazardous waste, will be stored in the appropriate RCRA storage areas, and will be labeled as RCRA hazardous waste. All IDM in the range between greater than 1×10^{-6} and less than or equal to 1×10^{-4} will also be stored in RCRA storage areas, but will not be labeled as hazardous waste. When CDH has finalized the "Interim Final Policy and Guidance on Risk Assessments for Corrective Action at RCRA Facilities," DOE will evaluate the impact of this guidance on stored drums falling within the risk range of 1×10^{-4} to 10×10^{-6} and propose appropriate activities regarding the drums' ultimate disposition.

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Additionally, we would like to offer the following to provide clarification to FO.29:

First, since DOE is presently engaged in determining the best approach to identifying radioactive waste, all references in FO.29 to radioactive waste determination will state that the determination will be performed at a future time. Delaying the determination of radioactivity has no immediate impact on the handling of hazardous or non-hazardous IDM, and is protective of human health and the environment.

Second, this procedure is an interim procedure for characterizing the backlog of IDM drums and currently generated IDM, and is stated as such in the "Purpose" section of FO.29.

DOE is moving forward with IDM characterization and subsequent appropriate storage of all hazardous or potentially hazardous waste IDM. Due to the schedule impact for addressing IDM, in part related to the incorporation of the above items into FO.29, it is likely that an extension of the June 1, 1994 completion date for identification and movement of potential hazardous waste IDM will be needed. In DOE's response to CDH's March 1, 1994 warning letter, we will be requesting this extension, and will be providing appropriate justification.

If you have any questions, please contact Vern Witherill of my staff at 966-7003.

Sincerely,



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Jessie M. Roberson
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cc w/o Enclosure:
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